Systemic Tensions Around Water Territorialities for UNDROP Communities

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The analysis of water resource access and management policies for peasants, indigenous peoples, Afro-diasporics, fishers, and foraging communities in Latin America reveals a profound structural paradox: an increasingly advanced regulatory framework at the regional and global levels, which contrasts drastically with the reality of implementation, marked by market-oriented public policies, persistent power asymmetries, and a marked inequality in access to basic services. International instruments such as the Voluntary Guidelines on the Responsible Governance of Land, Fisheries and Forests[1]; ILO Convention 169 and, in particular, both the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP), have laid the foundations for a new paradigm that prioritizes collective rights, participation, and ecological sustainability.

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[1] FAO – CSA (2012). https://www.fao.org/4/i2801s/i2801s.pdf

1.

REGULATORY UMBRELLA FOR RURAL COMMUNITIES.

However, its practical effectiveness depends on a fundamental reform of national laws and, more importantly, on the political will to implement them against the tide of dominant economic interests. The tension between formal law and social reality is palpable in almost all the countries of the region, creating a field of dispute where rural peoples struggle for the materialization of their fundamental rights and against the structural conditioning factors of an asymmetrical historical past.

The transformative influence of the UNDROP, adopted by the United Nations General Assembly in December 2018, is undeniable and provides an exceptionally powerful analytical lens for assessing existing policies (Golay 2020). This declaration not only consolidates pre-existing rights, but significantly expands them, especially with regard to the management and respect for nature. Key articles such as 5 and 17 explicitly establish the collective and individual right to "*...lands, waters, pastures, forests and other natural resources*", guaranteeing access, sustainable use and management of these common goods (Ibid.). This collective principle is a direct tool against the models of individualized private property that have been historically imposed and that continue to prevail in many regional legal systems. In addition, Article 21 is particularly relevant, as it recognizes the human right to drinking water and sanitation and unequivocally establishes the priority of human and productive uses over other purposes (Slot Tang & Castañeda 2020).

In sum, the assertion that states must guarantee equitable access to water for personal, domestic, agricultural, fishing and livestock purposes represents a powerful counterweight against laws that give primacy to mining, intensive industrial agriculture or hydroelectric energy production. In addition, the definition of "peasant" in Article 1 of the UNDROP itself further broadens its scope, explicitly encompassing "indigenous populations", "pastoralists", Afro-diasporic and "artisanal fishers", [2]which allows for a transversal and robust application to all rural communities.

Despite this regulatory progress, the legal landscape in Latin America remains contradictory. Multiple countries have incorporated the human right to water into their constitutions, including Bolivia, Colombia, Mexico, Panama, and Peru, often through court decisions or constitutional amendments (Rights Resources 2020). Unfortunately, this formal adoption often coexists with a neo-constitutionalism that promotes social ideals but coexists with profoundly market-oriented public policies (Roa, Urteaga & Bustamante 2015).

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[2] The recognition of the "fishing communities" undoubtedly means an advance in the visibility of their problems; However, for fishermen's sectors and organizations it is also interpreted as a weakness: to the extent that fishermen could only be normalized as "peasants", which implies a terrestrial view of their ways of life, simplifying the complexity of articulations between the land, the coasts, the seas and the waters.

Chile offers the most paradigmatic example of this dichotomy. Its 1981 Water Code established a system of radical privatization, treating water as a national good for public use but granting rights of use that could be freely negotiated and transferred, regardless of land ownership (Macpherson et al. 2023). This model has concentrated access to water in the hands of powerful economic actors, mainly in the mining and agricultural sectors, at the expense of local and indigenous communities, generating severe social conflicts and chronic overexploitation of water resources (Ávila 2014)

Although recent constitutional reform processes have attempted to reverse this trend, the power of neoliberal logic persists (Macpherson et al. Ibid.). For example, Peru presents a case similar to that of Chile. Its 2009 Water Resources Law, inspired by the Integrated Water Resources Management (IWRM) model, was criticized for favoring agricultural export and mining interests, ignoring communal governance systems and perpetuating a centralized and top-down model that limits the effective participation of peasant and native communities (Roa, Urteaga & Bustamante Ibid.). Similarly, in Colombia, despite a constitution considered one of the most progressive in the world, the distribution of water concessions shows extreme inequality, with a Gini coefficient of 0.90 for water destined for agriculture, a figure comparable to the inequality of land tenure (Ibid.).

The pattern that seems to emerge from the cases mentioned above is as simple as it is problematic: the mere mention of the human right to water in a law does not guarantee its practical effectiveness. The real struggle is fought in the implementation and in the struggle against the dominant economic forces that see water resources as a commodity to be accumulated and controlled.

Even in cases where legal personalities have been granted to bodies of water, such as the Atrato River in Colombia, court rulings have failed to stop large-scale extractive activities, demonstrating a significant gap between the declaration of rights and the effective protection of ecosystems and the communities that depend on them (González-Serrano 2024).

Panama emerges as a particularly revealing case study, as it exhibits a complex mix of advances and setbacks. On the one hand, the country has taken positive steps, such as the recognition of the human right to water based on a Supreme Court ruling in 2017; as well as the existence of Community Water Tenure Legal Regimes (CWTRs) that broadly protect the rights of communities to use water for cultural, domestic, and subsistence purposes in perpetuity (Rights and Resources Initiative and Environmental Law Institute 2020a). However, it also presents serious contradictions. It is the only country in the region where the law requires permits for the use of water for cultural and domestic purposes, an anomaly that undermines the principle of inalienable rights (Rights and Resources Initiative 2020b).

Moreover, in Panama, institutional fragmentation and the erosion of participatory mechanisms demonstrate the fragility of these advances. The dissolution of the Santa Maria Valley multistakeholder committee in 2024, which deliberately excluded the Ngäbe Buglé Region despite being geographically within the protected area, illustrates how democratic governance processes can be dismantled in favor of centralized state agendas (Steiner & Maccorquodale 2025).

This brief analysis demonstrates that even in seemingly progressive contexts, the absence of a comprehensive governance framework and the weakness of real participation mechanisms prevent legal rights from being translated into fair and sustainable practices (Avila 2014).

In short, the legal framework in Latin America is going through a phase of redefinition, driven by social movements and new international declarations. However, the transition from an extractivist paradigm to one based on rights and sustainability is slow and fraught with obstacles. The UNDROP offers a set of robust policy tools to identify and challenge these contradictions, underscoring the need for governance that not only recognises the rights of rural peoples, but actively protects them from economic interests that seek to perpetuate the exploitation of their territories and resources.

2.

CONFLICT AS AN ENGINE OF CHANGE:

CONSERVATION, INDIGENOUS RIGHTS, AND THE EMBLEMATIC CASE OF ISLA ESCUDO DE VERAGUAS.

The case of Isla Escudo de Veraguas in Panama is not an isolated incident, but a microcosm that encapsulates the deepest and most systemic tensions faced by indigenous-fishing communities in Latin America: the head-on clash between biodiversity conservation, often understood from a Western and centralized perspective, and collective land rights, water and natural resources of indigenous peoples.

This conflict also shows how "conservationist" policies can function as a form of "ocean grabbing", stripping communities of their livelihoods under the guise of environmental protection, while allowing or even incentivizing extractive activities elsewhere (Ban & Frid 2018).

As we will see below, the analysis of this case through the lens of the UNDROP-UNDRIP reveals multiple breaches of fundamental rights, making it a clear example of distributive, social and procedural injustice over the oceanic territories of indigenous fishing communities.

The facts of the conflict are unequivocal. In October 2025, the Panamanian government, through its Ministry of Environment, imposed a total and temporary ban on all fishing activity on Isla Escudo de Veraguas, an island located on the coast of the Gulf of Mosquitoes, whose original jurisdiction was granted to the Ngäbe Buglé Indigenous Region (Hussain 2025). The officially cited reasons were the pressure of tourism and the need to protect biodiversity, although the measure was also presented as a "recommendation" of OSPESCA, the regional fisheries organization of Central America[3].

As is only natural, this action can have devastating consequences for the Ngöbe-Buglé community, whose culture, identity and survival are intrinsically linked to traditional fishing in these waters. For this reason, the protest was immediate and vehement. Indigenous leaders denounced the move as an act of exclusion that directly threatens the food security and livelihoods of their families (Hussain Ibid.). The Indigenous fishermen argued that their own ancestral fishing practices already incorporate a natural period of closure, from June to February, which lasts approximately six months, thus exceeding the duration of the moratorium unilaterally imposed by the state. This contradiction points to a fundamental disconnect between Western scientific knowledge and traditional ecological knowledge, which is often more adaptive and sustainable in the long term.

In addition, if we review the procedure followed by the Panamanian government, it is easy to detect multiple flaws that make it clearly irregular. In the first place, there is the fact of the jurisdiction granted to the Ngäbe Buglé Region over the Escudo de Veraguas Island by Law No. 10 of March 7, 1997. Under the above context, the Ngäbe Buglé jurisdiction over the island could not be changed by a text of lower rank, such as Resolution DM-0489-2025 (complemented by DM-0417-2025), of the Ministry of the Environment. To do so means a manifest contradiction of legal hierarchy. Likewise, and if they wanted to do so through a Law – which would be the appropriate procedure – a process of Prior Consultation with the Ngäbe Buglé Congress would have to be implemented; which was not carried out.

When observing this case from the perspective of the UNDROP, the government's decision is a clear violation of multiple rights.

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[3] Panama indigenous fishers appeal to UN over banned Waters. ***https://icsf.net/newss/panama-indigenous-fishers-appeal-to-un-over-banned-waters/***

In the first place, we can mention that Article 17 of the UNDROP, which establishes the collective right to "lands, waters, pastures, forests and other natural resources", is not complied with, to the extent that the State imposes a unilateral prohibition on the use of a vital resource within a collectively recognized territory. The same is true of Article 21, on the right to water and sanitation, to the extent that this article can be interpreted expansively to include the oceans and seas as "vital sources of livelihood, culture and health" for coastal communities. Beyond material rights, the decision against the Ngäbe Buglé people also seriously infringes on the right to participation, guaranteed in Article 10, which requires the active and free participation of peasant peoples in policies that affect them.

Similarly, the imposition of the ban without free, prior and informed consultation with the Ngöbe-Buglé community constitutes a flagrant violation of Convention 169 and Articles 18 and 19 of the UNDRIP in relation to this fundamental principle of procedural justice. The State's obligation to protect its indigenous citizens from third parties seems, in this case, to be reversed, making the State itself the main actor responsible for the violation of the rights of its indigenous and fishing population.

The context of the Ngöbe-Buglé case becomes even more complex when looking at the dynamics of economic interests. Approximately seven miles south of Isla Escudo de Veraguas, Open Blue operates, an industrial aquaculture company that produces 1,200 tons of cobia a year in 22 sea cages within an exclusion zone (Hussain Ibid.). Although the operation holds certifications such as Best Aquaculture Practices, it raises concerns about organic waste pollution and competition for marine biomass, as cobia is a carnivorous species that requires meal and oil from small fish caught at sea, thus reducing the availability of food for species that local fishermen depend on (Ibid.). This coexistence creates a moral paradox: while traditional artisanal fishing is criminalized and fishermen are punished with the confiscation of their equipment, a highly intensive and potentially polluting industrial activity takes place peacefully within the same protected area.

Undoubtedly, the above situation reinforces the perception that protected areas are not places of equitable conservation, but spaces where conflicts over land and sea use are managed in favor of certain economic interests and to the detriment of the rights of local communities (indigenous, fisherwomen or peasants).

The location of Isla Escudo de Veraguas also allows us to measure the biocultural importance of these territories and the need to recognize the role of artisanal fishing communities as guardians of biodiversity. Veraguas Shield Island is a hotspot of endemism, with research suggesting up to 90% of unique species, including the endangered *Bradypus pygmaeus* (Crooks 2022). This finding stems from scientific research conducted on the island in collaboration with the local community, including Ngäbe students and monitors; the results of which have been published in a bilingual book in Spanish and Ngäbere to promote local knowledge and preserve the language (ibid.).

However, this narrative of shared conservation and biocultural knowledge is overshadowed by the unilateral stance of the state. The Ngöbe-Buglé community insists that they are not a threat to nature, but protectors of it, and demand the official return of the status of guardian of the island. This point of view, which integrates spiritual values and a holistic worldview of the environment, clashes head-on with a conservation model that separates people from nature.

We see how, despite the existence of a legal framework that would allow a formally established co-management between the National System of Protected Areas (SINAP) and the traditional Ngöbe-Buglé authorities, its implementation is precarious and is easily suspended due to the appearance of economic interests.

The history of the island's management is an example of this volatility. A first resolution in 2009 had already introduced fishing restrictions and a co-management model, but since then the government has been escalating the restrictions, culminating in the total ban in 2023. This sequence of events demonstrates that co-management is a fragile space that must be constantly defended by the communities themselves. The response of Ngöbe-Buglé leaders has been mixed, combining local protests, such as road blockades, with an international campaign carried out at the United Nations Human Rights Council in Geneva, where they sought an end to repression and the restoration of access to fishing (ICSF 2025). This transnational movement is crucial, as it seeks to connect local struggles with international human rights frameworks, using instruments such as the UNDRIP, the UNDROP, and the UN Guiding Principles on Business and Human Rights to put pressure on the Panamanian government.

In conclusion, the conflict on Isla Escudo de Veraguas is much more than a dispute over access to marine resources. It is a symbolic battle for the future of land and sea management in Latin America. This case also reveals the inability of traditional conservation models to integrate indigenous peoples' rights and knowledge, and demonstrates how environmental governance can be instrumentalized to legitimize exclusion and dispossession. The application of sister declarations such as UNDRIP and UNDROP in this context not only serves to denounce rights violations, but also offers a path towards more just and sustainable solutions, based on self-determination, free, prior and informed consent and the vindication of the role of indigenous peoples as indispensable protagonists of conservation.

3.

BEYOND CONSERVATION:

POWER DYNAMICS AND CONFLICTS IN THE BLUE ECONOMY AND ARTISANAL FISHERIES.

While the case of Isla Escudo de Veraguas vividly illustrates the tension between conservation and community rights, the reality of artisanal fishers in Latin America is even more complex and diverse. The conflicts they face go far beyond the borders of protected areas. They are inserted into a broader ecosystem of power, characterized by the expansion of the "blue economy", the existence of deep internal power asymmetries, and a series of distributive, social, and procedural injustices that threaten their viability as a means of livelihood and their place in society (Prado et al 2026).

A comparative analysis reveals recurring patterns of exclusion and marginalization that affect these communities, regardless of the economic sector with which they compete.

One of the main sources of distributional and social conflicts is the emergence of the "blue economy", a concept that encompasses a variety of industrial and commercial activities that use the oceans and marine resources. According to Prado et al (Ibid), projects such as large-scale industrial aquaculture, mass tourism, port construction, oil and gas exploration and extraction; as well as the installation of wind farms are drastically transforming the seascape and coastline, often at the expense of artisanal fishermen.

The most contemporary and systematic studies in Latin America show that these initiatives are responsible for 33% of the conflicts affecting coastal fishing communities (Ibid.). As we have just observed, the case of Panama with Open Blue Cobia is a perfect example of this dynamic: an industrial operation that uses an exclusion zone to avoid competition with local fisheries, while simultaneously criminalizing indigenous fishermen who practice traditional methods in the same area. These types of conflicts not only restrict physical access to spaces and resources, but also alter socioeconomic conditions, causing discrimination, job losses and an increase in job insecurity.

If we look at the case of Brazil, specifically in Bragança, we can appreciate a detailed vision of how these dynamics are played out in the local field. Research by Dahlet et al. (2025), in this region of northern Brazil reveals a complex power system where financial actors, such as bankers and post-harvest companies, control access to resources through the flow of money, setting prices, granting credit, and providing equipment, creating a hierarchy of power that leaves fishers in a subordinate position. This financial control severely limits the autonomy of fishermen, who must accept the conditions imposed by intermediaries. In addition, a serious gap in representation is identified. Civil and trade union organizations, such as the *Z-17 Fishers' Guild*, are perceived by fishers as ineffective in defending their interests and facilitating access to public policy benefits, leaving an empty governance space that makes them even more vulnerable (Ibid.)

It should also be noted that at the Latin American level, there is a structural lack of consolidated statistical data on fisheries, which makes it even more difficult to formulate inclusive policies and defend the rights of fishers. However, the panorama of qualitative cases allows us to say that the injustices suffered by artisanal fishermen are multifaceted and are manifested in three main dimensions: distributive, social and procedural.

Distributive ***injustice*** is the most visible and refers to the restriction of access to spaces and resources. This occurs both through the creation of exclusion zones by industrial projects and through the imposition of fishing regulations that, without adequate consultation with communities, limit their traditional practices (Prado et al. Ibid.). as we observed in the case of the Ngöbe-Buglé and the Escudo de Veraguas Island.

Social injustice is more subtle but equally harmful, manifesting itself in unequal power relations that favour governments, industrial fleets and multinational corporations, and often leading to abuse, violence and gender discrimination (Ibid). In Brazil, for example, women, who make up about half of the fishing workforce in some areas, face additional barriers in accessing resources and in decision-making (Dahlet et al. Ibid.).

Procedural ***injustice***, meanwhile, lies in the lack of genuine participation of fishers in the decision-making processes that affect their lives. Many times, the consultation is merely consultative or *tokenistic*, where the input of the fishermen has little or no impact on the final result, and participation is biased by corruption and political power (Prado et al. Ibid.).

Faced with this adverse panorama, a growing movement of resistance and search for alternatives has emerged, focused on the vindication of tenure rights and the promotion of models of collective governance.

A conceptually very relevant model for Latin America comes from the African and Caribbean experience. In September 2024, 79 countries of the African, Caribbean and Pacific Cooperation, Partnership and Development Agreement (OACPS) declared their support for establishing Artisanal Stewardship Areas (ASAs) or Inshore Exclusion Zones (IEZs).[4] This initiative proposes to close coastal areas (e.g. 6 to 12 miles) to industrial fishing and promote 100% co-governance with artisanal fishing communities.

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[4] Strengthening Inshore Exclusive Zones with small-scale fishers: A path to food security and biodiversity ***https://www.cffacape.org/publications-blog/strengthening-iez-with-ssf***

The above approach, supported by agencies such as FAO, seeks to protect tenure rights and ensure that fishers are the primary managers of their resources, thus contributing to ecosystem sustainability and food security.[5] The African model demonstrates that the creation of exclusion zones is not incompatible with conservation, but can be an effective conservation strategy that recognizes and values the knowledge and experience of traditional fishers.

The application of these principles in Latin America would require a paradigm shift in fisheries management. Currently, most fisheries policies in the region are centralized and based on quotas and management technologies that often ignore the complexity of local socio-ecological systems. Models such as the Rotating Use Fishing Territories (TURFs) in Chile, which grant collective use rights to fishing communities, offer an alternative model (Romero 2018).

Similarly, in Costa Rica, studies in fishing communities such as Colorado and Tortuguero show that the creation of Marine Protected Areas (MPAs) can have mixed effects: while some fishers see indirect benefits through tourism, others, especially those with greater investments in deep-sea fishing equipment, suffer significant economic losses (Ballestero, Albers, Capitán & Salas 2017).

The above situation underscores the need for a differentiated approach that considers the different socio-economic realities within the same communities and avoids the imposition of one-size-fits-all solutions. The Canadian experience, where the closure of areas under Indigenous law led to a rapid recovery of *Dungeness crab populations*, demonstrates that management models led by Indigenous peoples can achieve both ecological and cultural goals effectively (Ban & Frid 2018).

Ultimately, the future of artisanal fisheries in Latin America depends on the ability of communities to defend their rights and the political will of states to adopt more inclusive and equitable governance models. This involves not only creating exclusion zones and strengthening co-governance, but also addressing internal power asymmetries, improving the representation of fishers in decision-making bodies, and ensuring that fisheries policies are designed in dialogue with local knowledge. The struggle of the fishermen is not simply for a livelihood, but for the dignity, sovereignty and survival of their traditional ways of life in the face of an economic model that marginalizes and excludes them.

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[5] Strategic plan of action for fisheries and aquaculture - 2030 https://www.oacps.org/wp-content/uploads/2023/02/OACPS-FISHERIES-AQUACULTURESTRATEGY-_final.pdf

4.

STRATEGIC GAPS, CHALLENGES, AND OPPORTUNITIES FOR COMMUNITY GOVERNANCE AND UNDROP COMPLIANCE.

Despite advances in the regulatory framework and growing awareness of systemic injustices, the effective implementation of water resource access and management policies that respect the rights of peasants, indigenous peoples, Afro-diasporic communities, and fishers in Latin America continues to face monumental challenges.

An exhaustive analysis of the available sources allows us to identify critical information gaps; therefore, it is urgent to consolidate the main challenges that persist and, above all, to point out strategic opportunities to build a fairer and more sustainable governance model, aligned with the principles of the UNDROP. The solution does not lie only in the creation of new laws, but in a fundamental paradigm shift that prioritizes climate, social and territorial justice in a balanced way, while valuing the knowledge and rights of indigenous peoples and fisherman-peasants as the indispensable starting point of any public policy.

As mentioned above, one of the most significant gaps identified is the lack of specific information on freshwater policies and their interrelationship with the rights of coastal fishing stocks. Most studies and analyses focus on riverine communities or mountains, where access to fresh water is the main driver of conflict. However, the dynamics of fishing communities that depend on the connection between rivers, mangroves, and the ocean for their life cycle and fishing practices are less documented. How do dams and agricultural water withdrawal in inland rivers affect the quality of brackish water in lagoons and mangroves, and in turn, the availability of habitats for fisheries? What policies exist to protect these ecosystem connections? Addressing this gap is crucial to understanding water management in its entirety.

Another major gap is the limited evidence on the successful judicial and administrative application of the UNDROP to resolve land and water conflicts in the region. While the declaration is a robust theoretical framework, its power as a tool for litigation and political pressure needs to be constantly evaluated. There are examples of how it has been used in international tribunals or as a reference in national judgments, such as in Argentina and Paraguay, but there are few documented cases of conclusive success in resolving grassroots disputes in Latin America. The acid test of the UNDROP will be to see if it can be successfully invoked to annul laws or projects that violate the rights of rural peoples.

Likewise, there is a notable absence of gender perspectives in many of the case studies analyzed. The UNDROP, in its Article 4, explicitly emphasizes the elimination of discrimination against women and their empowerment, recognizing their key role in food security and resource management (Golay Ibid.). However, most of the conflicts described, from water extraction in Mexico to restrictions on fishing in Panama, focus predominantly on the experiences of men. The role of women fishers, their access to marine resources, their participation in community decision-making, and the disproportionate impact of lack of access to water and sanitation on their lives are issues that require further attention and documentation (FIAN 2020).

In the above context, the challenges that impede the fulfillment of water rights are systemic and multidimensional.

First, the absence of formal land titles represents a manifest vulnerability and by extension any rights to associated resources, such as water or sea, are really fragile for fishing communities. Likewise, unilateral changes in territorial recognition is a structural problem. As seen in the case of the Ngöbe-Buglé in Panama, the absence of real mechanisms for participation and co-governance over protected areas leaves communities vulnerable to dispossession and the imposition of external projects without their consent.

Second, power asymmetry is a constant obstacle. Fishers in Brazil are a clear example of how economic actors control access to resources, but this dynamic is replicated in the political arena, where mining, agriculture and fishing lobbies often have more influence than peasant and fishers' organizations

Third, the inefficiency of institutions and state bureaucracy are major barriers. From the difficulty of obtaining fishing records in Brazil to the creation of management committees that are then dissolved in Panama, institutions often fail to serve as effective platforms for participation and protection of rights.

However, despite these challenges, there are numerous strategic opportunities and alternative models that offer pathways to fairer governance.

One of the most significant advances has been the recognition of the legal personality of rivers, as happened with the Atrato in Colombia. Although this step has proven to have practical limitations in stopping extraction, it sets a powerful precedent that recognizes the rights of rivers and the communities that depend on them, removing them from the status of mere commodities.

Another path is the strengthening of co-governance models and community participation. The experience of MPAs in Costa Rica, where the participation of fishing communities is considered a key factor for success, and the case of the recovery of the Dungeness crab in Canada under indigenous management, demonstrate that models based on local knowledge and traditional authority can be more effective and fair. However, these models must be supported by legislative reform that formally creates and protects the rights of communities to manage their territories.

Finally, in order to align public policies with the principles of the UNDROP, several strategic recommendations can be made.

First, comprehensive legislative reform must be undertaken to eliminate discriminatory provisions and bureaucratic obstacles that impede access to resources. This includes repealing laws that require permits for the use of water for cultural and domestic purposes, as in Panama, and simplifying land and water titling processes for indigenous and peasant communities.

Second, the principle of Free, Prior and Informed Consent (FPIC) must be rigorously implemented as a non-negotiable requirement for any project that affects the territories and resources of indigenous communities. This must go beyond superficial consultation and ensure that communities have veto power over projects they deem harmful.

Third, the creation of maritime and river exclusion zones for artisanal fisheries and subsistence agriculture, based on the IEZ model of the OACPS countries, should be actively promoted to protect their livelihoods from industrial competition.

Fourth, resources should be invested in training and strengthening peasant, indigenous and fishers' organizations, equipping them with the resources and skills to participate effectively in decision-making processes and to defend their rights in judicial and political forums.

In conclusion, the road to the fulfillment of water rights for rural peoples in Latin America is long and full of obstacles. It requires a strong political commitment to overcome existing power structures and a genuine willingness to shift the resource management paradigm towards one that is decentralized, participatory and justice-based. The UNDROP provides an invaluable map for this journey, outlining a horizon of rights and obligations that should guide the action of states, international organizations and social movements themselves. The final success will depend on the ability to translate these abstract rights into concrete realities: titled lands, safe waters, sustainable fishing and, above all, the dignity and autonomy of peasants, indigenous people and fishermen who are the true custodians of the natural wealth of the waters.

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